

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

EDWARD TAYLOR,)	
)	
Plaintiff,)	
)	
v.)	CA 04-1826
)	Judge Schwab
TODD E. NAYLOR,)	Magistrate Judge Caiazza
)	
Defendant.)	

MEMORANDUM ORDER

The Plaintiff's complaint was received by the Clerk of Court on November 11, 2004, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on April 6, 2006, recommended that the Complaint filed by the Plaintiff Edward L. Taylor be dismissed because his Fourth Amendment claim is barred by the applicable statute of limitations and because the Commonwealth of Pennsylvania has a an adequate post-deprivation remedy with respect to his Fourteenth Amendment claim.

The parties were allowed ten days from the date of service to file objections. Service was made on the Plaintiff by First Class United States Mail delivered to the State Correctional Institution at Mahanoy, Frackville, Pennsylvania, where he is incarcerated and on the Defendant. No objections have been filed. After review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 26th day of April, 2006,

IT IS HEREBY ORDERED that the Complaint filed by the Plaintiff Edward L. Taylor is dismissed.

The Report and Recommendation of Magistrate Judge Caiazza, (Doc. 30), dated April 6, 2006, is adopted as the opinion of the court.

s/Arthur J. Schwab

Arthur J. Schwab
U.S. District Court Judge

cc:

Francis X. Caiazza
U.S. Magistrate Judge

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